GOVERNMENT OF INDIA
LAW , JUSTICE AND COMPANY AFFAIRS
LOK SABHA

UNSTARRED QUESTION NO:4741
ANSWERED ON:24.08.2000
ELECTION COMMISSION
AJAY SINGH CHAUTALA

Will the Minister of LAW , JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether the Government and Election Commission (EC) of India have reached an understanding over the deadlock on the issue of disciplinary jurisdiction over election staff as reported in Times of India on July 26, 2000;

(b) if so, the details thereof;

(c) if not, the reasons therefor; and

(d) by what time, it is likely to be sorted out?

Answer

MINISTER OF STATE OF THE MINISTRY OF INFORMATION AND BROADCASTING (INDEPENDENT CHARGE) AN MINISTER OF STATE OF THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (INDEPENDENT CHARGE) (SHR JAITLEY)

(a) to (d) The issue concerning disciplinary jurisdiction of the Election Commission of India over the staff deputed for election work under section 28 A of the Representation of the People Act, 1951 and section 13CC of the Representation of the People Act, 1950 read with article 324 of the Constitution, is sub judice before the Supreme Court in the Civil Writ Petition No. 606/93 filed by the Election Commission of India against the Union of India& others. A joint application proposing a resolution of the issue indicating terms of settlement by which certain powers are proposed to be given to the Election Commission in this matter has, however, been made to the Supreme Court on 26.7.2000.